

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Request by Progeny LMS, LLC for Waiver	)	
of Certain Multilateration Location and	)	WT Docket No. 11-49
Monitoring Service Rules	)	
	)	
Progeny LMS, LLC Demonstration of	)	
Compliance with Section 90.353(d) of the	)	
Commission's Rules	)	

**PROGENY LMS, LLC  
PETITION FOR WAIVER OF SECTION 1.106(g)**

Progeny LMS, LLC (“Progeny”), through its attorneys, hereby requests that the Commission waive the 25-page limit that applies to Oppositions to Petitions for Reconsiderations as set forth in Section 1.106(g) of the Commission’s rules.<sup>1</sup> Waiver is necessary to permit Progeny to fully respond to the voluminous and repetitious petitions that were filed in the above-captioned proceeding and will ensure that the Commission has a complete and accurate record of the complex subject matter in this proceeding.

The Petition for Reconsideration filed by Warren Havens, without the benefit of a waiver request, extended to at least 42 pages, without counting the exhibits.<sup>2</sup> The sum total of the six petitions that were filed runs more than 150 pages. Contrary to the Commission’s rule prohibiting petitions that “rely on arguments that have been fully considered and rejected by the Commission within the same proceeding,”<sup>3</sup> numerous parties employed their petitions as an

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<sup>1</sup> 47 C.F.R. § 1.429(d).

<sup>2</sup> See *Petition for Reconsideration, and Petition to Deny of Skybridge Spectrum Foundation, et.al*, WT Docket No. 11-49 (Jul. 8, 2013); see also *Skytel entities, Exhibit 1, Exhibit 2c, Exhibit 2d, Exhibit 3, Exhibit 4*, WT Docket No. 11-49 (July 8, 2013).

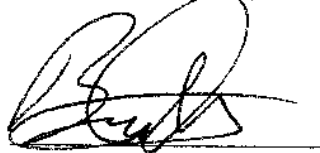
<sup>3</sup> 47 C.F.R. 1.106(p)(3).

opportunity to reexamine a host of arguments that the Commission has already addressed at length and dismissed.

Although the Commission does not routinely grant waivers of the page limitations, it will do so for good cause shown and when to do so would more adequately serve the public interest.<sup>4</sup> Waiver is appropriate here because of the sheer page count of the petitions as well as the complex and technical matters at issue in this proceeding. Waiver would serve the public interest by ensuring that Progeny is given sufficient opportunity to provide a meaningful response to the myriad repetitious arguments presented, and would promote administrative efficiency by providing the Commission with the necessary information to evaluate the arguments raised in the petitions. Progeny therefore respectfully requests that the Commission waive the 25-page limit for oppositions to accommodate a full discussion of the petitions.

Respectfully submitted,

**PROGENY LMS, LLC**

A handwritten signature in black ink, appearing to read 'Bruce A. Olcott', is written over a horizontal line.

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July 19, 2013

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<sup>4</sup> See, e.g., *Connect America Fund*, WC Docket No. 10-90, *et. al.*, Order, DA 11-2063 (Dec. 23, 2011), *Amendment of Parts 1,21,73,74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 Bands*, WT Docket No. 03-66, *et al.*, Order, 20 FCC Rcd 1606 (Jan. 25, 2005).

## CERTIFICATE OF SERVICE

I, Preston N. Thomas, hereby certify that on this 19th day of July, 2013, I caused copies of the foregoing "Opposition of Progeny LMS, LLC" and "Progeny LMS, LLC Petition for Waiver of Section 1.106(g)" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

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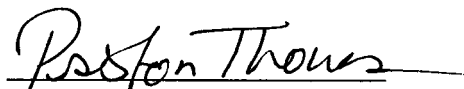
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